

MARTIN L. PERSCHETZ
martin.perschetz@srz.com
SUNG-HEE SUH
sung-hee.suh@srz.com
WILLIAM H. GUSSMAN, JR.
bill.gussman@srz.com
SCHULTE ROTH & ZABEL LLP
919 Third Avenue
New York, New York 10022
Tel: (212) 756-2000

LAWRENCE M. ROLNICK
lrolnick@lowenstein.com
SHEILA A. SADIGHI
ssadighi@lowenstein.com
LOWENSTEIN SANDLER PC
65 Livingston Avenue
Roseland, New Jersey 07068
Tel: 973-597-2500

Attorneys for Defendant Dr. Edward M. Scolnick

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: MERCK & CO., INC. SECURITIES,
DERIVATIVE & "ERISA" LITIGATION

MDL No. 1658 (SRC)

THIS DOCUMENT RELATES TO:

Case No. 2:05-CV-05060-SRC

THE STICHTING PENSIOENFONDS ABP ACTION

(Document Electronically Filed)

**CERTIFICATION OF SHEILA A. SADIGHI, ESQ. IN SUPPORT OF
DR. EDWARD M. SCOLNICK'S MOTION TO DISMISS
STICHTING PENSIOENFONDS ABP'S SECOND AMENDED COMPLAINT**

SHEILA A. SADIGHI, ESQ., hereby certifies as follows:

1. I am a member of the law firm Lowenstein Sandler PC, attorneys for Dr. Edward M. Scolnick, a defendant in the above-captioned matter.

2. I submit this certification in support of Dr. Edward M. Scolnick's Motion to Dismiss Stichting Pensioenfonds ABP's Second Amended Complaint pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4.

3. Attached hereto as Exhibit A is a true and correct copy of the Stipulation and [Proposed] Order filed on January 17, 2012.

4. Attached hereto as Exhibit B is a true and correct copy of the Transfer Order issued by the Judicial Panel on Multidistrict Litigation on February 23, 2005.

5. Attached hereto as Exhibit C is a true and correct copy of Pretrial Order No. 1 issued by the District Court of New Jersey on May 5, 2005.

6. Attached hereto as Exhibit D is a true and correct copy of the Corrected Consolidated Fifth Amended Class Action Complaint filed in the Putative Class Action on March 10, 2009.

7. Attached hereto as Exhibit E is a true and correct copy of the Memorandum of Law in Support of Defendants' Motion to Dismiss the Corrected Consolidated Fifth Amended Class Action Complaint filed in the Putative Class Action on June 18, 2010.

8. Attached hereto as Exhibit F is a true and correct copy of the Memorandum of Law in Support of Defendant Dr. Edward M. Scolnick's Motion to Dismiss the Corrected Consolidated Fifth Amended Class Action Complaint filed in the Putative Class Action on June 18, 2010.

9. Attached hereto as Exhibit G is Plaintiff Stichting Pensioenfonds ABP's Second Amended Complaint filed on October 21, 2011.

10. Attached hereto as Exhibit H is a true and correct copy of the 1998 Form 10-K signed by Dr. Scolnick on March 23, 1999 and filed by Merck & Co. Inc. with the Securities and Exchange Commission ("SEC") on March 24, 1999.

11. Attached hereto as Exhibit I is a true and correct copy of the Form S-3 signed by Dr. Scolnick on April 27, 1999 and filed by Merck & Co. Inc. with the SEC on May 3, 1999.

12. Attached hereto as Exhibit J is a true and correct copy of the Form S-3 signed by Dr. Scolnick on July 6, 1999 and filed by Merck & Co. Inc. with the SEC on July 7, 1999.

13. Attached hereto as Exhibit K is a true and correct copy of the Form S-8 signed by Dr. Scolnick on November 29, 1999 and filed by Merck & Co. Inc. with the SEC on November 30, 1999.

14. Attached hereto as Exhibit L is a true and correct copy of the Form S-8 signed by Dr. Scolnick on February 16, 2000 and filed by Merck & Co. Inc. with the SEC on February 16, 2000.

15. Attached hereto as Exhibit M is a true and correct copy of the 1999 Form 10-K signed by Dr. Scolnick on March 22, 2000 and filed by Merck & Co. Inc. with the SEC on March 22, 2000.

16. Attached hereto as Exhibit N is a true and correct copy of the Form S-3 signed by Dr. Scolnick on July 28, 2000 and filed by Merck & Co. Inc. with the SEC on July 28, 2000.

17. Attached hereto as Exhibit O is a true and correct copy of the Form S-8 signed by Dr. Scolnick on November 28, 2000 and filed by Merck & Co. Inc. with the SEC on December 20, 2000.

18. Attached hereto as Exhibit P is a true and correct copy of the Form S-8 signed by Dr. Scolnick on January 5, 2001 and filed by Merck & Co. Inc. with the SEC on January 5, 2001.

19. Attached hereto as Exhibit Q is a true and correct copy of the Form S-8 signed by Dr. Scolnick on March 8, 2001 and filed by Merck & Co. Inc. with the SEC on March 8, 2001.

20. Attached hereto as Exhibit R is a true and correct copy of the Form S-4 signed by Dr. Scolnick on May 31, 2001 and filed by Merck & Co. Inc. with the SEC on May 31, 2001.

21. Attached hereto as Exhibit S is a true and correct copy of the 2001 Form 10-K signed by Dr. Scolnick on March 21, 2002 and filed by Merck & Co. Inc. with the SEC on March 21, 2002.

22. Attached hereto as Exhibit T is a true and correct copy of the Form S-3 signed by Dr. Scolnick on April 23, 2002 and filed by Merck & Co. Inc. with the SEC on April 26, 2002.

23. Attached hereto as Exhibit U is a true and correct copy of the Form S-8 signed by Dr. Scolnick on November 27, 2002 and filed by Merck & Co. Inc. with the SEC on November 27, 2002.

24. Attached hereto as Exhibit V is a true and correct copy of an article titled "THE DOCTOR'S WORLD; For Pain Reliever, Questions of Risk Remain Unresolved," published in the October 9, 2001 edition of *The New York Times*.

25. Attached hereto as Exhibit W is a true and correct copy of the press release issued by Merck & Co. Inc. on April 11, 2002.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that the foregoing is true and correct.

Dated: January 20, 2012

By: s/ Sheila A. Sadighi
Lowenstein Sandler PC
65 Livingston Avenue
Roseland, New Jersey 07068
Tel.: 973.597.2500
Fax: 973.597.2400
ssadighi@lowenstein.com